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Name: Jean B. Fordis

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**MESSAGE**

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I hereby certify that the attached paper,

1. Response to Restriction Requirement (3 pages)

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**JUN 06 2007****PATENT**

Customer No. 22,852

Attorney Docket No. 10577.0003-00000

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: )  
)  
Shuji HINUMA et al. ) Group Art Unit: 1647  
)  
Application No.: 10/537,676 ) Examiner: Elly Gerald STOICA  
)  
371 (c) Date: June 6, 2005 )  
) Confirmation No.: 8346  
I.A. Filing Date: December 11, 2003 )  
)  
For: NOVEL USE OF EDG )  
RECEPTORS )

**Mail Stop Amendment**

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

**RESPONSE TO RESTRICTION REQUIREMENT**

In a restriction requirement dated May 14, 2007, the Examiner required  
restriction under 35 U.S.C. § 121 between:

Group I, claim 1, drawn to an agent containing an EDG receptor;

Group II, claims 2, 3, 6, and 7, drawn to an agent containing a  
polynucleotide coding for an EDG receptor;

Group III, claims 4 and 5, drawn to an agent containing an antibody  
to EDG receptor;

Group IV, claims 8-13, drawn to a method of screening for a  
binding modifier for EDG receptors;

Group V, claims 14-16, drawn to a prophylactic compound that  
modify the binding properties of the EDG receptor;

Group VI, claims 17 and 18, drawn to a method of screening for an  
expression level modulator for EDG receptors;

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Group VII, claim 19, drawn to an expression level modulator for EDG receptors;

Group VIII, claim 20 (in part) drawn to a method of prevention of a disease comprising the use of a binding modifier for EDG receptors;

Group IX, claim 20 (in part), drawn to a method of prevention of a disease comprising the use of an expression level modulator for EDG receptors;

Group X, claim 21 (in part), drawn to a method of use of a binding modifier for EDG receptors; and

Group XI, claim 21 (in part), drawn to a method of use of an expression level modulator for EDG receptors.

Applicants provisionally elect to prosecute Group IV, claims 8-13, drawn to a method of screening for a binding modifier for EDG receptors, with traverse. The Examiner asserts that the groups "do not relate to a single general inventive concept," asserting that "EDG receptors are known in the art...so [as] they are not an advancement over the prior art." However, the inventors do provide a single general inventive concept that advances the art. Specifically, as set forth in the specification at page 1, line 31 to page 2, line 3, the inventors have found that human EDG-2, EDG-3, and EDG-5 receptors are over expressed in the kidney of the diabetic nephropathy model rat. Thus, these receptors find use in diabetic nephropathy, chronic renal failure, glomerulonephritis, interstitial renal disease, or renal edema. This discovery certainly advances the art on treatment of such disease status.

Further, the Examiner required an election of a single species to which the claims shall be restricted if no generic claim is finally held to be allowable. The claims are deemed to correspond to the following list of species:

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EDG-2 Receptor (Seq. Id. No: 1) - Claims 1-7 (all in part), 8, 9, 14, 17-21 (all in part);

EDG-3 Receptor (Seq. Id. No: 5) - Claims 1-7 (all in part), 10, 11, 15, 17-21 (all in part); and

EDG-5 Receptor (Seq. Id. No: 9) - Claims 1-7 (all in part), 12, 13, 16, 17-21 (all in part).

Applicants provisionally elect to prosecute EDG-2 Receptor (Seq. Id. No: 1) - claims 1-7 (all in part), 8, 9, 14, 17-21 (all in part).

Please grant any extensions of time required to enter this response and charge any additional required fees to Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

Dated: June 6, 2007

By: Jean B. Fordis  
Jean B. Fordis  
Reg. No. 32,984